

STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION

Student v. Regional School District 5

Appearing on behalf of the Student:

Attorney Andrew Feinstein
Attorney at Law
86 Denison Avenue
Mystic, CT 06355

Appearing on behalf of the Board:

Attorney Marsha Belman Moses
Berchem Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing before:

Attorney Janis C. Jerman, Hearing Officer

FINAL DECISION AND ORDER

A special education hearing in the above-captioned matter was requested by Student via Letter dated July 28, 2010.¹ It was received by the Board of Education on July 28. The thirty-day resolution period ran through August 27 and the original deadline for mailing the final decision and order was October 11, 2010.

On August 13, Student's Attorney filed a request to extend the mailing date in order to permit the parties to participate in mediation prior to beginning hearings. After fully considering the positions of the parties, the request was granted and the deadline to mail the final decision and order was extended until November 10.

A hearing was scheduled for October 14. On August 30, the Board of Education's Attorney indicated that her client was scheduled to be out of state on that date and requested that the hearing be rescheduled. The first mutually available date was October 21. The Hearing Officer indicated to the parties that the hearing could be scheduled for October 21 only if there was an extension of the mailing date.

On September 1, Student's Attorney filed a request to extend the mailing date in order to permit the parties to participate in mediation prior to beginning hearings and due to the difficulty of finding mutually agreeable hearing dates. After fully considering the positions of the parties, the request was granted and the mailing date was extended to December 10, 2010. The hearing was scheduled for October 21.

On September 27, Student's Attorney indicated that the parties reached agreement at mediation on September 21 and that the claim would be withdrawn with prejudice once a written agreement had been executed. On October 18, Student's Attorney withdrew the case with prejudice.

FINAL DECISION AND ORDER

In light of the above facts, the above-captioned case is hereby dismissed with prejudice.

¹ All dates are 2010 unless otherwise indicated.